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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,733	06/15/2001	Mohan Sankaran	INFO-P016	9185

7590 09/08/2004

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EXAMINER

REAGAN, JAMES A

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/882,733

Applicant(s)

SANKARAN ET AL.

Examiner

James A. Reagan

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

**Status of Claims**

1. This action is in reply to the response filed on 07 July 2004.
2. Claims 1-3, 7-13, 16-21, 25-31 and 34-36 have been amended
3. Claims 1-36 have been examined.

**RESPONSE TO ARGUMENTS**

4. Applicant's arguments received on have been fully considered but they are not persuasive. Referring to the previous Office action, Examiner has cited relevant portions of the references as a means to illustrate the systems as taught by the prior art. As a means of providing further clarification as to what is taught by the references used in the first Office action, Examiner has expanded the teachings for comprehensibility while maintaining the same grounds of rejection of the claims, except as noted above in the section labeled "Status of Claims." This information is intended to assist in illuminating the teachings of the references while providing evidence that establishes further support for the rejections of the claims.

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

**Claim Rejections - 35 USC § 103**

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
6. Claims 1-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morley et al., (US Patent Application Publication No. 200210056081 A1).

**Claims 1 and 19:**

Morley, as shown, discloses:

- *receiving an incoming request for data resident in a mass storage unit on said source computer system (see at least Abstract; Summary of the Invention; Fig 2; Par. 52)*
- *authenticating said incoming request (see at least Fig 2, Par. 52);*
- *spawning a session thread that reads and parses a command received via said incoming request, said command for sending said data over said computer system network to a second computer system (see at least Fig 2, Par 54-55);*
- *sending said encrypted and compressed data block to said second computer system over said computer system network (see at least Fig 2, 5-6, associated text).*

Morley doesn't specifically disclose:

- *writing at least a part of said data into a first data block buffer;*
- *compressing said part of said data in said first data block buffer into a compressed data block that is written to a second data block buffer;*
- *encrypting said compressed data block in said second data block buffer into an encrypted and compressed data block that is written to a third data block buffer (see at least the same citations as above);*

However, Morley does teach the use of buffer for processing parts of large data to be transmitted such as, for example, how the data needs to be buffered, compressed, then encrypted, prior to being transmitted to a destination on a network (see at least Fig 5-6, 8; associated text; Par. 104). It would have been obvious to one ordinarily skilled in the art that these methods would have been inherent in Morley's system, so that data may be streamed efficiently, speedily, and securely from a source to a target computer system over a network.

**Claims 11 and 29:**

Morley, as shown, discloses:

- *issuing a request for data to a source computer system on which said data resides (see at least Fig 2, 5, associated text);*
- *spawning a session thread in response to a message from said source computer system (see at least Fig 2, 5, associated text);*

Morley does not explicitly describe in detail:

- *receiving from said source computer system at least one encrypted and compressed data block of said data, said encrypted and compressed data block transferred over said computer network;*
- *writing said encrypted and compressed data block to a first data block buffer;*
- *decrypting said encrypted and compressed data block into a compressed data block that is written to a second data block buffer; and*
- *decompressing said compressed data block in said second data block buffer and writing a resultant data block to a third data block buffer;*

However, Morley does teach the use of buffer for processing parts of large data to be transmitted: how the data needs to be buffered, compressed, then encrypted, prior to being transmitted to a destination on a network (Fig 5-6, 8; associated text; Par. 104). It would have been obvious to one ordinarily skilled in the art that these methods would have been inherent in Morley's system, so that data may be streamed efficiently, speedily, and securely from a source to a target computer system over a network.

**Claims 2, 12, 20, and 30:**

Morley discloses all the limitations of claims 1, 11, 19, and 29 as shown above. Morley does not specifically disclose *verifying that data transfer to said second computer system is complete*. However, this is an inherent and therefore obvious transmission step in the communication of data over network links, and one of ordinary skilled in the

art would have implemented this feature in Morley's system, to ensure that transmission of the intended date would not be missing any parts at its destination. This is especially important when one is streaming digital movies, as described by Morley.

**Claims 3, 13, 21, and 31:**

Morley discloses all the limitations of claims 1, 11, 19, and 29 as shown above. Morley further discloses *verifying that data transfer to said second computer system is without error* (see at least Par. 23-26).

**Claims 4, 14, 22, and 32:**

Morley discloses all the limitations of claims 1, 11, 19, and 29 as shown above. Morley further discloses that the *computer system network is the Internet* (see at least Par 23-26).

**Claims 5, 15, 23, and 33:**

Morley discloses all the limitations of claims 1, 11, 19, and 29 as shown above. Morley does not specifically disclose that *data comprises data processed by an analytic application*. However, the data that may be transmitted using Money's system and method may be any type of data and would still be able to stream and be used as taught by Morley. This data is non-functional descriptive material and as such, cannot render non-obvious an invention that would have otherwise been obvious. Cf. *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983) (when descriptive material is not functionally related to the substrate, the descriptive material will not distinguish the invention from the prior art in terms of patentability). MPEP § 2106.

**Claims 6 and 24:**

Morley discloses all the limitations of claims 1 and 19 as shown above. Morley does not specifically disclose that the *incoming request uses Extensible Markup Language (XML)*. However, the Examiner takes **Official Notice** that it is old and well known in the web page and HTML arts that XML is a powerful and popular language used on the Internet for many different applications involving data storage, transmission,

and retrieval. It would have been obvious to one ordinarily skilled in the art at the time the invention was made to have chosen this language with Motleys system, in order to provide more flexibility and robustness to the data transmissions within his system.

**Claims 7, 16, and 25:**

Morley discloses all the limitations of claims 1, 11, 19, and 29 as shown above.

Morley does not specifically disclose:

- *translating said command into a plurality of tasks;*
- *storing said tasks in a task table in a given order; and*
- *executing said tasks in order until a task ending said session thread is found;*

However, these methods are inherent and therefore obvious when accepting, processing, and executing commands over a network. Ergo, it would have been obvious to one ordinarily skilled in the art to have use these methods to handle and execute requests from clients for data delivery, so as to take advantage the best protocols available in network communications and operations.

**Claims 8, 17, 26, and 34:**

Morley discloses all the limitations of claims 1, 11, 19, and 29 as shown above.

Morley does not specifically disclose:

- *first data block buffer and said second data block buffer are substantially equal in size and*
- *wherein said step e) comprises the step of accumulating compressed data blocks before data are written to said second data block buffer, wherein enough compressed data blocks are accumulated to fill said second data block buffer.*

However, buffering data when preparing to process it prior to transmission over a communications network is a long-standing and common method and obvious to one of ordinary skill in the computer hardware arts, since even the latest and most powerful

microprocessor technology requires external buffering to complete all computing tasks. Moreover, choosing buffer in standardized, equivalent sizes is obvious, such as, for example, the 256kByte or 512 kByte L1 and L2 cache used with the prominent Intel Pentium processors. Morley does teach that buffers should be used in his system to make moving data about more rapid and efficient on computer resources (see above citations). Therefore, it would have been obvious for one ordinarily skilled in the art at the time the invention was made to have included these features, again to provide better speed, functionality, and effectiveness for the system's data processing and transmission steps.

**Claims 9, 27, and 35:**

Morley discloses all the limitations of claims 1, 11, 19, and 29 as shown above.

Morley does not specifically disclose:

- *a second data block buffer and said third data block buffer are substantially equal in size; and*
- *wherein said step f) comprises the step of: accumulating encrypted and compressed data blocks before data are written to said third data block buffer, wherein enough encrypted and compressed data blocks are accumulated to fill said third data block buffer.*

Money does teach that buffers should be used in his system to make moving data about more rapid and efficient on computer resources (see above citations). In addition, buffering data when preparing to process it prior to transmission over a communications network is a long-standing and common method and obvious to one of ordinary skill in the computer hardware arts, since even the latest and most powerful microprocessor technology requires external buffering to complete all computing tasks. Moreover, choosing buffer in standardized, equivalent sizes is obvious, such as, for example, the 256kByte or 512 kByte L1 and L2 cache used with the prominent Intel Pentium processors. Therefore, it would have been obvious for one ordinarily skilled in



the art at the time the invention was made to have included these features to provide better speed, functionality, and effectiveness for the system's data processing and transmission steps.

**Claims 10, 18, 28, and 36:**

Morley discloses all the limitations of claims 1, 11, 19, and 29 as shown above.

Morley does not specifically disclose:

- *restoring a connection with said second computer system when an ongoing connection is lost; and*
- *resuming transfer of data to said second computer system at the point in said data where said ongoing connection was lost;*

However, the Examiner takes Official Notice that it is old and well-known in the computer networking and communications arts to reduce the instances of lost data packets or severed connections, and also ensuring that lost connections will not cause total, catastrophic failures while transmitting large streams of data over a communications network. It would have been obvious for one ordinarily skilled in the art at the time the invention was made to build this feature into a critical application such as Money's - streaming digital movies to theatres - so that only minimal interruptions of data stream would occur should connection loss be encountered.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **James A. Reagan** whose telephone number is **(703) 306-9131**. The examiner can normally be reached on Monday-Friday, 9:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **James Trammell** can be reached at (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703) 305-3900**. Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

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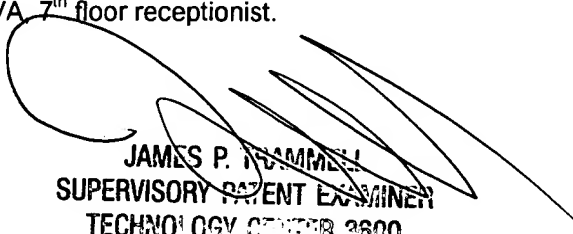
After Final communications labeled "Box AF"]

**(703) 308-1396** [Informal/Draft communications, labeled "PROPOSED"

or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7<sup>th</sup> floor receptionist.

JAR

  
**JAMES P. HAMMEL**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3600**